



2631/16

PATENT
97RSS022
CX97002USR
09/849,501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Elias Bjarnason OLD DOCKET NO.: 09785980-0095-97RSS022
NEW DOCKET NO.: CX97002USR
SERIAL NO.: 09/849,501 GROUP ART UNIT: 2631
DATE FILED: May 04, 2001 EXAMINER: Bayard, Emmanuel
INVENTION: "METHOD AND APPARATUS FOR TRAINING LINEAR
EQUALIZERS IN A PCM MODEM"

June 17, 2002

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

JUN 25 2003

Technology Center 2600

Sir:

CERTIFICATE OF MAILING

I, Francisco A. Rubio-Campos, certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in and envelope addressed to: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Francisco A. Rubio-Campos

6/17/03

Date



PATENT
97RSS022
CX97002USR
09/849,501

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Elias Bjarnason OLD DOCKET NO.: 09785980-0095-97RSS022
NEW DOCKET NO.: CX97002USR
SERIAL NO.: 09/849,501 GROUP ART UNIT: 2631
DATE FILED: May 04, 2001 EXAMINER: Bayard, Emmanuel
INVENTION: "METHOD AND APPARATUS FOR TRAINING LINEAR
EQUALIZERS IN A PCM MODEM"

June 17, 2003

RECEIVED

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

JUN 25 2003

Technology Center 2600

Sir:

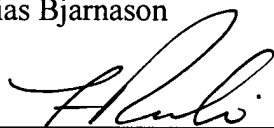
RECONSIDERATION OF THE HOLDING OF ABANDONMENT

The present amendment responds to the Notice of Abandonment mailed on May 27, 2003. Claims 1-29 are currently pending in the present application. Applicants respectfully request that the Examiner please reconsider the holding of abandonment on the present application because Applicants believe that the mailed Notice of Abandonment was improper on the basis that there was no abandonment in fact.

In support of Applicants' position, Applicants are faxing and mailing (via first-class mail) to the Examiner a copy, of the herein attached documents, of the previously filed Response to the Office Action mailed September 4, 2002 along with a copy of the received self-addressed postcard from the United States Patent and Trademark Office (the "USPTO"). The Response to the Office Action was timely filed on December 12, 2002 with a certificate of mailing and a one-month extension of time request under 37 CFR 1.17(a)(1) plus the corresponding one-month extension fee. The received self-addressed postcard is stamped as received by the USPTO on December 18, 2002 and shows that the response to the Office Action was mailed by Applicants on December 12, 2002 with a check (check number 1063) in the amount of \$110.00 for the one-month extension of time. The check was cashed by the USPTO on December 26, 2002.

Therefore, Applicants respectfully submit that there was no abandonment in fact because the Response to the September 4, 2002 mailed Office Action was properly responded to and filed by Applicants. As a result, Applicants respectfully request that the Examiner please withdraw the improper Notice of Abandonment and please reconsider the identified present application in view of the Response to the Office Action. Applicants believe that no new matter has been added by this amendment.

Respectfully submitted,
Elias Bjarnason

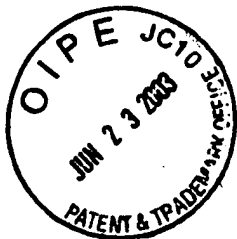
By: , Reg. 45,358

Francisco A. Rubio-Campos

Phone: (949) 448-4910

Fax: (714) 948-8903

The Eclipse Group
26895 Aliso Creek Road
Suite B-104
Aliso Viejo, CA 92656-5301



RECEIVED

JUN 25 2003

Technology Center 2600

Client Name: **Conexant Systems, Inc.**

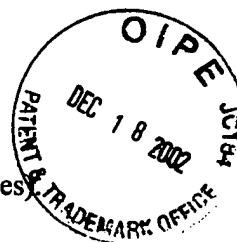
Client & Matter Number: **CX97002USR**

Title: **METHOD AND APPARATUS FOR TRAINING LINEAR EQUALIZERS IN A PCM
MODEM**

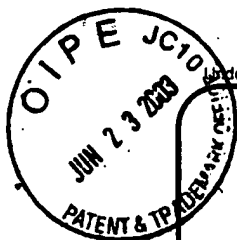
Serial# 09/849,501 Filing Date: May 4, 2001

Please acknowledge receipt of:

8. Return addressed postcard with postage.
9. Certificate of Mailing (1 page).
10. Transmittal Sheet (1 page).
11. Fee Calculation Sheet (1 page).
12. Response to Office Action dated 09/04/02 (27 pages).
13. Check #1063 in the amount of \$110.00.
14. Extension of Time request (1 page).



Mailed: **December 12, 2002**



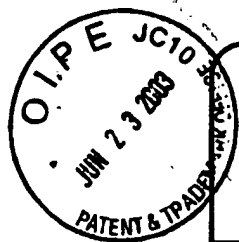
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/849,501	
	Filing Date	05/04/2001	
	First Named Inventor	Elias Bjarnason	
	Group Art Unit	8897 26	
	Examiner Name	Bayard, Emmanuel	
Total Number of Pages in This Submission	33	Attorney Docket Number	09785980-0095-97RSS022

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		RECEIVED JUN 25 2003 Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Francisco A. Rubio-Campos, USPTO Reg. 45,358
Signature	
Date	12/12/2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: December 12, 2002			
Typed or printed name	Francisco A. Rubio-Campos		
Signature		Date	12/12/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 110.00

Complete if Known

Application Number	09/849,501
Filing Date	05/04/2001
First Named Inventor	Elias Bjarnason
Examiner Name	Bayard, Emmanuel
Group Art Unit	8697
Attorney Docket No.	09785980-0095-97RSS022

RECEIVED

JUN 25 2003

Technology Center 2600

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	<input type="text"/>
106	330	206	165	Design filing fee	<input type="text"/>
107	510	207	255	Plant filing fee	<input type="text"/>
108	740	208	370	Reissue filing fee	<input type="text"/>
114	160	214	80	Provisional filing fee	<input type="text"/>

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	<input type="text"/>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139	130	Non-English specification	<input type="text"/>
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	<input type="text"/>
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215	55	Extension for reply within first month	110.00
116	400	216	200	Extension for reply within second month	<input type="text"/>
117	920	217	460	Extension for reply within third month	<input type="text"/>
118	1,440	218	720	Extension for reply within fourth month	<input type="text"/>
128	1,960	228	980	Extension for reply within fifth month	<input type="text"/>
119	320	219	160	Notice of Appeal	<input type="text"/>
120	320	220	160	Filing a brief in support of an appeal	<input type="text"/>
121	280	221	140	Request for oral hearing	<input type="text"/>
138	1,510	138	1,510	Petition to institute a public use proceeding	<input type="text"/>
140	110	240	55	Petition to revive - unavoidable	<input type="text"/>
141	1,280	241	640	Petition to revive - unintentional	<input type="text"/>
142	1,280	242	640	Utility issue fee (or reissue)	<input type="text"/>
143	460	243	230	Design issue fee	<input type="text"/>
144	620	244	310	Plant issue fee	<input type="text"/>
122	130	122	130	Petitions to the Commissioner	<input type="text"/>
123	50	123	50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126	180	126	180	Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581	40	Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>
179	740	279	370	Request for Continued Examination (RCE)	<input type="text"/>
169	900	169	900	Request for expedited examination of a design application	<input type="text"/>

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 110.00

SUBMITTED BY

Name (Print/Type)	Francisco A. Rubio-Campos	Registration No. (Attorney/Agent)	45,358	Telephone	(949) 448-9410
Signature		Date	12/12/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

RECEIVED

JUN 25 2003

Technology Center 2600

FRANCISCO A. RUBIO
8 PATEAU
ALISO VIEJO, CA 92656

90-7172/395
3222
040013863515

1063

Date Dec 12, 2002

Pay to the order of

Assistant Commissioner for Patents \$ 110.00

One hundred and ten

Dollars



Check for full details

citibank

CITIBANK, F.S.B.
707 W. 5TH ST., 28TH FLOOR
LOS ANGELES, CA 90071
THE CITIBANK PRIVATE BANK

Memo / month Est for C99202 USR

+1:322271724: 040013863515 1063